

MEMORANDUM

September 11, 1975

TO: BOSTON REDEVELOPMENT AUTHORITY
FROM: Robert T. Kenney, Director
SUBJECT: BOARD OF APPEAL REFERRALS

Hearing: 9/23/75
Petition No. Z-3379
Dorchester Area Planning Action Council,
Inc.
110 Claybourne Street, Dorchester
at Park Street

2½-story frame structure - residential (R-.8) district.

Purpose: to change occupancy from clubhouse to community center and day care center.

Violations:

- Section 8-6. A change in a conditional use requires Board of Appeal approval.
- Section 8-7. A community center in an R-.8 district requires Board of Appeal approval.

Structure was formerly occupied as an American Legion Post clubhouse. Proposed day care facility would accommodate 46 children; the community center would be utilized for general functions: youth programs, housing groups, health and exercise programs. Adequate parking will be provided. Recommend approval with proviso.

VOTED: In reference to Petition No. Z-3379, brought by Dorchester Area Planning Action Council, Inc., 110 Claybourne Street, Dorchester, for two conditional uses for a change of occupancy from a clubhouse to a community center and day care center in a residential (R-.8) district, the Boston Redevelopment Authority recommends approval provided the day care center complies with all City and State regulations. Proposed facilities will significantly benefit the community.



Z-3379
110 CLAYBOURNE ST.
(DOR.)

Board of Appeal Referrals 9/11/75

Hearing: 9/23/75

Petition No. Z-3380
Dorchester Area Planning Action Council,
Inc.
64 Bradshaw Street, Dorchester
near Esmond Street

2½-story frame structure - residential (R-.8) district.

Purpose: to change occupancy from school to day care center and community center.

Violations:

Section 8-6. A change in a conditional use requires Board of Appeal hearing.

Section 8-7. A community center in an R-.8 district requires Board of Appeal approval.

Use of the former private school structure as a day care center for 60 children and a community facility would be appropriate, desirable, and beneficial to the general community. Recommend approval with proviso.

VOTED: In reference to Petition No. Z-3380, brought by Dorchester Area Planning Action Council, Inc., 64 Bradshaw Street, Dorchester, for two conditional uses for a change of occupancy from a school to a day care center and community center in a residential (R-.8) district, the Boston Redevelopment Authority recommends approval provided the day care center complies with all City and State regulations. The facilities would be appropriate, desirable, and beneficial to the general community.

Z-3380
64 BRADSHAW ST.
(DOR.)



Board of Appeal Referrals 9/11/75

Hearing: 9/23/75

Petition No. Z-3402
David C. Chapin
16 Leamington Road, Brighton
near Commonwealth Avenue

Two-story masonry structure - residential (R-.5) district.

Purpose: to legalize existing three-family occupancy.

Violations:

	<u>Required</u>	<u>Proposed</u>
Section 8-7. A dwelling converted for more families which does not meet the requirements for lot area and open space is forbidden in an R-.5 district.		
Section 14-1. Lot area is insufficient.	2 acres	2300 sf
Section 14-3. Lot width is insufficient.	200 ft.	34 ft.
Section 14-4. Street frontage is insufficient.	200 ft.	34 ft.
Section 15-1. Floor area ratio is excessive.	0.5	1.7
Section 17-1. Open space is insufficient.	1000 sf	266 ft.
Section 18-1. Front yard is insufficient.	25 ft.	16 ft.

Occupancy has existed for several years. Violations, existing and technical, have no apparent effect on the neighborhood. Recommend approval.

VOTED: In reference to Petition No. Z-3402, brought by David C. Chapin, 16 Leamington Road, Brighton, for a forbidden use and six variances to legalize existing three-family occupancy in a residential (R-.5) district, the Boston Redevelopment Authority recommends approval. Violations, existing and technical, have no apparent effect on the neighborhood.



Z-3402
16 LEAMINGTON RD.
(BRI.)

Board of Appeal Referrals 9/11/75

Hearing: 9/23/75

Petition No. Z-3404
Boston Redevelopment Authority
1-35 Commercial Street and
172-204 State Street, Boston

Approximately 75,000 square feet of land - general business (B-8) district.

Purpose: use of premises for open air parking of 204 cars, charging a fee.

Violation:

Section 8-7. A parking lot is conditional in a B-8 district.

The facility will provide parking for the Quincy Market Bicentennial exhibit and Faneuil Hall development pursuant to an agreement with the Faneuil Hall Marketplace developer. It is proposed to operate the lot until a garage is constructed on an adjacent parcel. Recommend approval.

VOTED: In reference to Petition No. Z-3404, brought by the Boston Redevelopment Authority 1-35 Commercial Street and 172-204 State Street, in the Waterfront Urban Renewal Area, for a conditional use for the open air parking of 204 cars, charging a fee, in a general business (B-8) district, the Boston Redevelopment Authority recommends approval. The facility will operate only until a garage is constructed on an adjacent parcel. It complies with conditional use requirements. Curb parking demands in the area would tend to be reduced by the facility.

Z-3404
1-35 COMMERCIAL ST.
172-204 STATE ST.
(B.P.)



Board of Appeal Referrals 9/11/75

Hearing: 9/30/75

Petitions Nos. Z-3407-3408
Adeline Keller, Trustee
546-548 East Fourth Street,
South Boston
between G and H Streets

Three-story frame structure - apartment (H-1-50) district.

Purpose: to subdivide land.

Violations:

	<u>Required</u>	<u>Proposed</u>
Section 14-2. Lot area is insufficient.	7000 sf	1874 sf
Section 14-2. Lot area is insufficient.	7000 sf	3121 sf
Section 17-1. Open space is insufficient.	400 sf	

Subdivision of duplex three-family dwellings would not have an adverse impact on the neighborhood. Violations are technical and existing.
Recommend approval.

VOTED: In reference to Petitions Nos. Z-3407-3408, brought by Adeline Keller, 546-548 East Fourth Street, South Boston, for three variances to subdivide land in an apartment (H-1-50) district, the Boston Redevelopment Authority recommends approval. Proposal would not have an adverse impact on the neighborhood. Violations are technical and existing.



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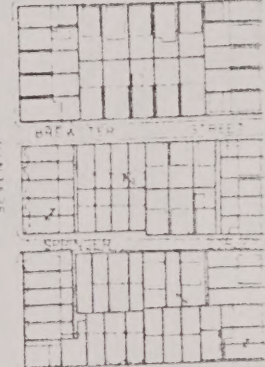
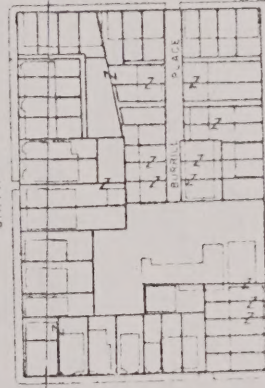
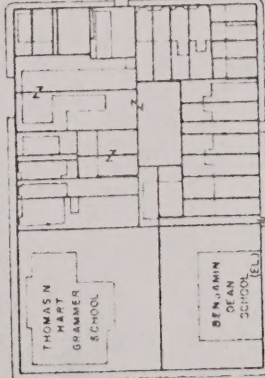
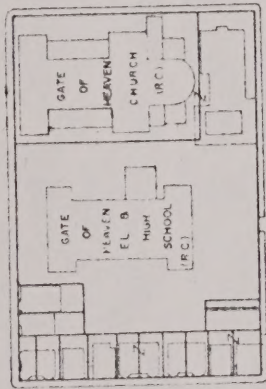
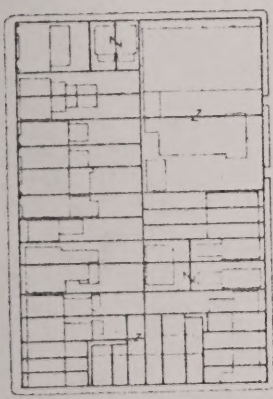
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546-548 EAST FOURTH ST
(S.B.)

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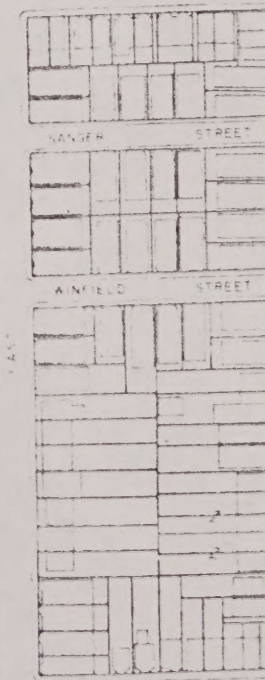
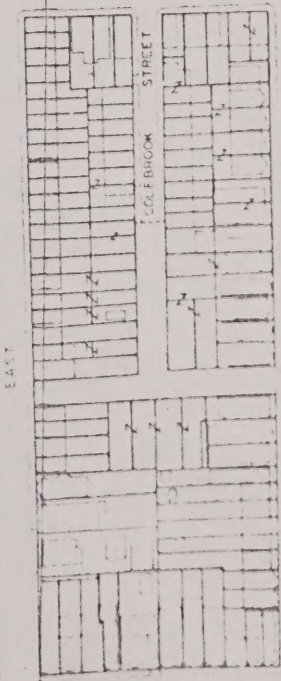
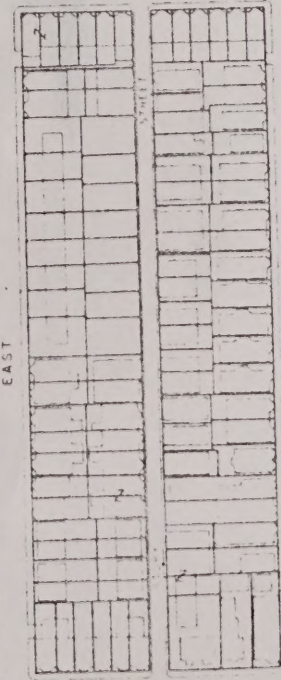
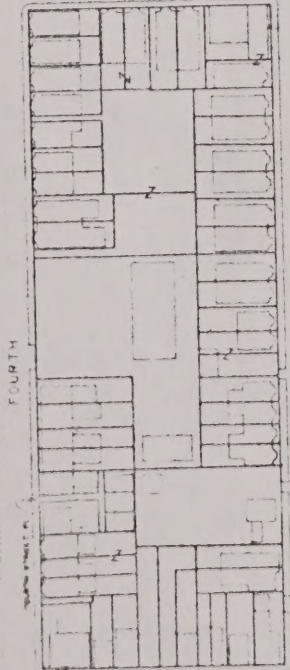
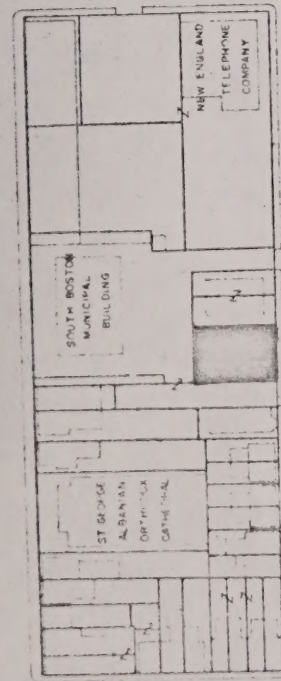
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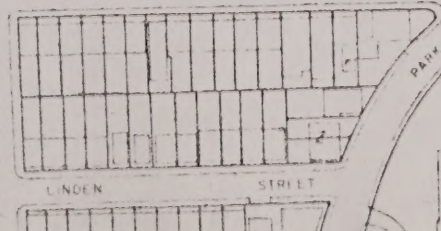


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EAST

G



Board of Appeal Referrals 9/11/75

Hearing: 9/30/75

Petition No. Z-3410
Oswald Barnett
296 Norfolk Street, Dorchester
near Cromwell Street

2½-story frame structure - local business (L-.5) district.

Purpose: to legalize occupancy for two-family dwelling.

Violations:

	<u>Required</u>	<u>Proposed</u>
Section 8-7. A dwelling converted for more families which does not meet the requirement for lot area is forbidden in an L-.5 district.		
Section 14-2. Lot area is insufficient.	6500 sf	5178 sf

Occupancy has apparently existed for many years. There will be no adverse effect on the mixed commercial-residential area. Recommend approval.

VOTED: In reference to Petition No. Z-3410, brought by Oswald Barnett, 296 Norfolk Street, Dorchester, for a forbidden use and a variance to legalize occupancy for a two-family dwelling in a local business (L-.5) district, the Boston Redevelopment Authority recommends approval. Occupancy will have no apparent adverse effect on this mixed commercial-residential area.

Z-3410
296 NORFOLK ST.
(DOR.)



Board of Appeal Referrals 9/11/75

Hearing: 9/30/75

Petition No. Z-3411
Carlo and Beverly Dello Russo
25 White Street, East Boston
near Marion Street

2½-story frame structure - apartment (H-1) district.

Purpose: to legalize occupancy for three-family dwelling.

Violations:

	<u>Required</u>	<u>Proposed</u>
Section 8-7. A dwelling converted for more families which does not meet the requirement for lot area is forbidden in an H-1 district.		
Section 14-2. Lot area is insufficient.	7000 sf	1660 sf

Occupancy is consistent with the prevailing three-family residential character of the neighborhood. Recommend approval.

VOTED: In reference to Petition No. Z-3411, brought by Carlo and Beverly Dello Russo, 25 White Street, East Boston, for a forbidden use and a variance to legalize occupancy for a three-family dwelling in an apartment (H-1) district, the Boston Redevelopment Authority recommends approval. Occupancy is consistent with the prevailing three-family residential character of the neighborhood.

Z-3411
25 WHITE ST.
(E.B.)



Board of Appeal Referrals 9/11/75

Hearing: 9/23/75

Petition No. Z-3412
Samuel Marcus
255 Newbury Street, Boston
near Fairfield Street

Four-story structure - general business (B-4-70) district.

Purpose: to erect free-standing sign.

Violation:

Section 11-2. A free-standing sign is not allowed in a B-4-70 district.

Existing sign, identifying a basement pottery shop is well designed. Its location is appropriate, with no negative impact on the neighborhood. The Back Bay Architectural Commission has approved the design. Recommend approval.

VOTED: In reference to Petition No. Z-3412, brought by Samuel Marcus, 255 Newbury Street, Boston, for a conditional use to erect a free-standing sign in a general business (B-4-70) district, the Boston Redevelopment Authority recommends approval. Sign is well designed; its location is appropriate, with no negative impact on the neighborhood. The Back Bay Architectural Commission has approved the design.



Z-3412

255 NEWBURY ST.

(B.P.)

Board of Appeal Referrals 9/11/75

Hearing: 9/30/75

Petition No. Z-3413
French Speaking Baptist Church
1248-1256 Blue Hill Avenue, Mattapan
at Hosmer Street

One-story masonry structure - residential (R-.8) district.

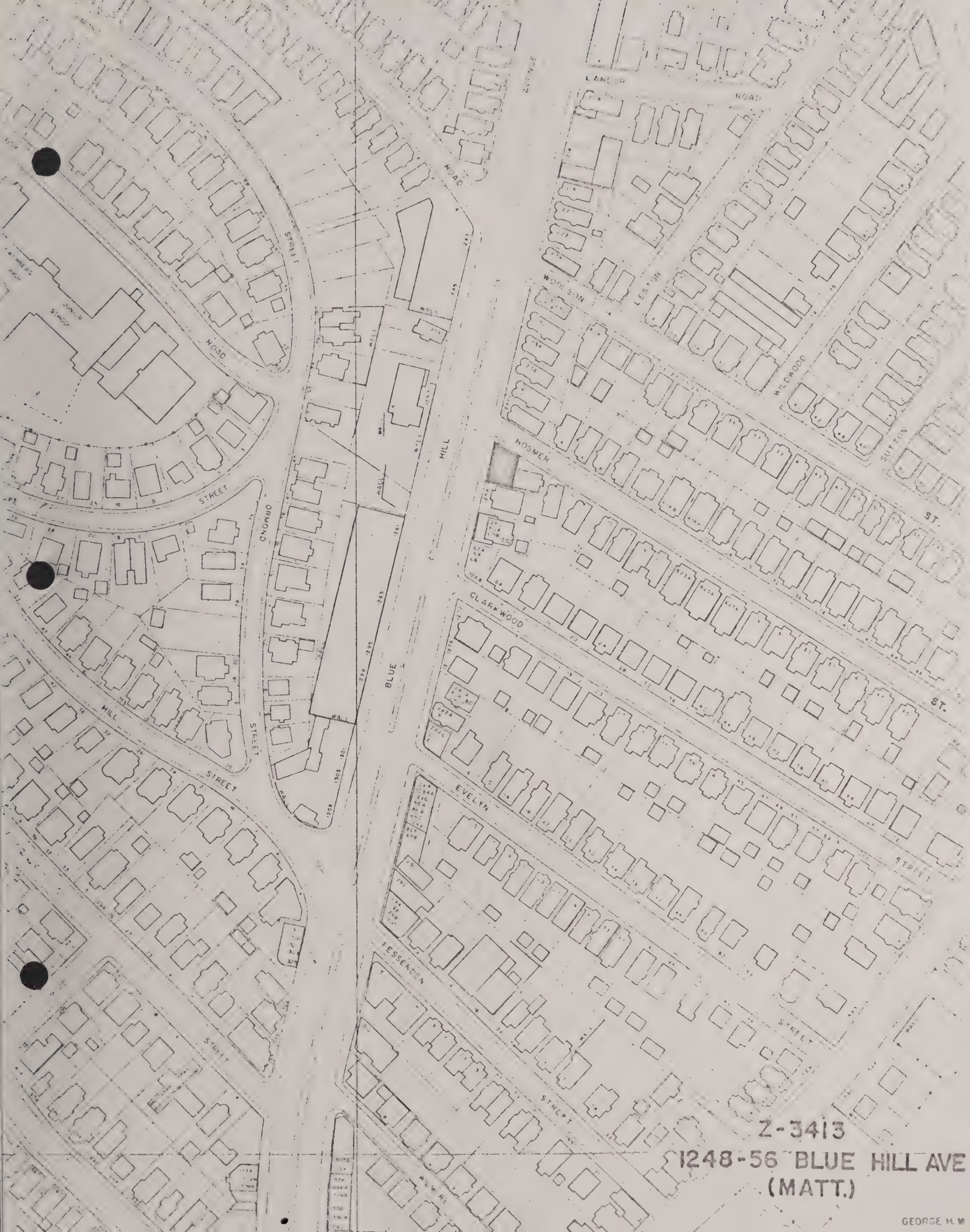
Purpose: to change occupancy from retail sales, storage, and two-car garage to church.

Violation:

	<u>Required</u>	<u>Proposed</u>
Section 23-2. Off-street parking not provided.	27 spaces	0

Church would accommodate a maximum of 162 persons. Off-street parking must be provided. Recommend approval with parking proviso.

VOTED: In reference to Petition No. Z-3413, brought by French Speaking Baptist Church, 1248-1256 Blue Hill Avenue, Mattapan, for a variance for a change of occupancy from retail sales, storage, and two-car garage to church in a residential (R-.8) district, the Boston Redevelopment Authority recommends approval provided petitioner acquires space, through purchase or lease, to supply required off-street parking.



Z-3413

1248-56 BLUE HILL AVE
(MATT.)

Board of Appeal Referrals 9/11/75

Hearing: 9/16/75

Petition No. Z-3420
Harry McPhail
515 East Second Street, South Boston
near Dorchester Street

One-story masonry structure - apartment (H-1) and manufacturing (M-1) districts.

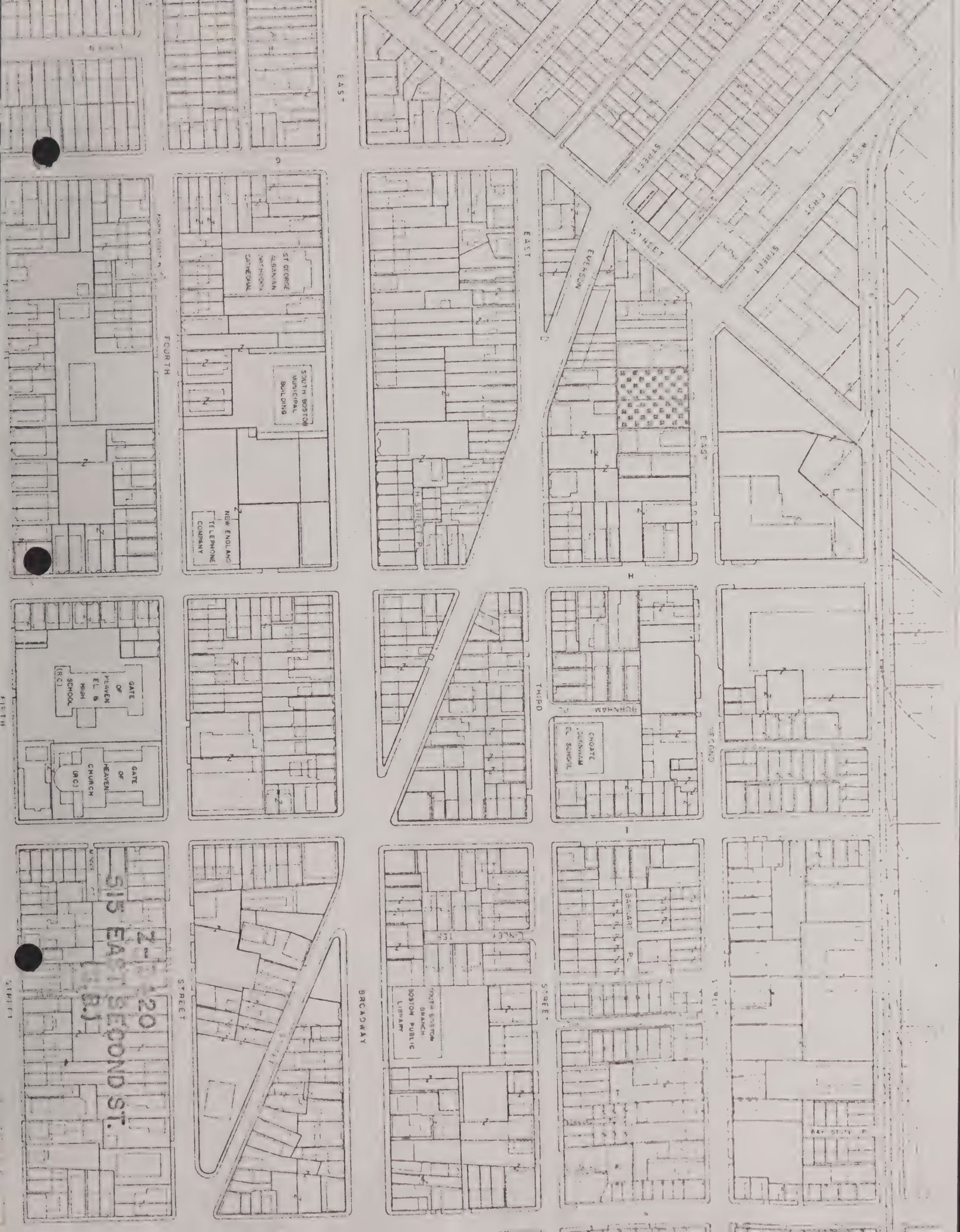
Purpose: to erect one-story addition to freight terminal.

Violations:

	<u>Required</u>	<u>Proposed</u>
Section 9-2. Extension of a nonconforming use requires Board of Appeal approval.		
Section 20-1. Rear yard is insufficient.	20 ft.	0
Section 23-5. Off-street parking is insufficient.	4 spaces	0

Proposed addition would immediately abut and have an injurious impact on a three-story dwelling. Extension of this nonconformity would further increase curb parking demands and intensify unwanted heavy commercial traffic. The proposal represents an unreasonable use of land. Recommend denial.

VOTED: In reference to Petition No. Z-3420, brought by Harry McPhail, 515 East Second Street, South Boston, for an extension of a nonconforming use and two variances to erect a one-story addition to a freight terminal in apartment (H-1) and manufacturing (M-1) districts, the Boston Redevelopment Authority recommends denial. Proposed addition would immediately abut and have an injurious effect on a three-story dwelling. Extension of this nonconformity would further increase curb parking demands and intensify unwanted heavy commercial traffic. The proposal represents an unreasonable use of land.



Board of Appeal Referrals 9/11/75

Hearing: 9/16/75

Petition No. Z-3422
Emilio Cucchiella
536 Commercial Street, Boston
at Copps Hill Terrace

408 square feet of land - apartment (H-3) district.

Purpose: to erect metal trailer for use as restaurant stand.

Violations:

	<u>Required</u>	<u>Proposed</u>
Section 8-7. Sale over the counter of on-premises prepared food or drink for off-premises consumption or for on-premises consumption if, as so sold, such food or drink is ready for take-out is forbidden in an H-3 district.		
Section 18-1. Front yard is insufficient.	15 ft.	3 ft.
Section 20-1. Rear yard is insufficient.	11 ft.	3 ft.

The site is very small and inappropriate and abuts a residential structure. A trailer on concrete blocks would seriously detract from adjacent historic Copps Hill Park on the Freedom Trail and North End Park. If any retail use were to be allowed on this property, it should be in a permanent structure and then only with strict design review. Recommend denial.

VOTED: In reference to Petition No. Z-3422, brought by Emilio Cucchiella, 536 Commercial Street, Boston, for a forbidden use and two variances to erect a metal trailer for use as a restaurant stand in an apartment (H-3) district, the Boston Redevelopment Authority recommends denial. The site is very small and inappropriate and abuts a residential structure. A trailer on concrete blocks would seriously detract from adjacent historic Copps Hill Park on the Freedom Trail and North End Park. If any retail use were to be allowed on this property, it should be in a permanent structure and then only with strict design review.

Z-3422

536 COMMERCIAL ST.

(B.P.)



Board of Appeal Referrals 9/11/75

Hearing: 9/16/75

Petition No. Z-3425
441 Stuart Street Realty Trust
441 Stuart Street, Boston
at Dartmouth Street

Eleven-story structure - general business (B-8) district.

Purpose: to change occupancy from offices, assembly hall, and radio station to offices, assembly hall, radio station, and school of modern languages.

Violation:

Section 8-7. A school is conditional in a B-8 district.

Use of this commercial structure for a language school complies with conditional use requirements and would be compatible with the business nature of the area. Recommend approval.

VOTED: In reference to Petition No. Z-3425, brought by 441 Stuart Street Realty Trust, 441 Stuart Street, Boston, for a conditional use for a change of occupancy from offices, assembly hall, and radio station to offices, assembly hall, radio station, and school of modern languages in a general business (B-8) district, the Boston Redevelopment Authority recommends approval. Proposed school use of this commercial structure complies with conditional use requirements and would be compatible with the business nature of the area.

Z-3425
441 STUART ST.
(B.P.)



Board of Appeal Referrals 9/11/75

Hearing: 9/23/75

Petition No. Z-3427
Walter J. Zezusi
625 Hyde Park Avenue, Roslindale
near Canterbury Street

Three one-story structures - local business (L-.5) district.

Purpose: to legalize occupancy for auto body repair shop garage; to erect one-story addition; to use premises for parking of towed cars.

Violations:

Section 8-6. A change in a conditional use requires Board of Appeal hearing.

Section 8-7. A parking lot is conditional in an L-.5 district.

Petitioner is authorized under DPW license to tow registered motor vehicles. It is further proposed to legalize one structure for gas service station; remaining structure would be demolished. Recommend approval with provisos.

VOTED: In reference to Petition No. Z-3427, brought by Walter J. Zezusi, 625 Hyde Park Avenue, Roslindale, for a conditional use to legalize occupancy for auto body repair shop garage, erect a one-story addition, and use premises for parking of towed cars in a local business (L-.5) district, the Boston Redevelopment Authority recommends approval with the following provisos: that storage of junk vehicles be prohibited; that the site be landscaped; that buffer fencing or planting be provided on both sides of the site; that the hours of operation of auto body repair shop be from 8 A.M. to 6 P.M. Monday through Saturday, no work on Sunday; that on-street parking of towed and repair vehicles be prohibited; that plans be submitted to the Authority for design review.

Z-3427
625 HYDE PARK AVE.
(ROS.)



